IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
CIVIL APPLICATION NO.6639 OF 2007
IN
FIRST APPEAL NO.2703 OF 2007

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

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Ms Geeta Mulekar A.G.P. for State
Mr.Ajit Shah i/b M/s.ALMT Legal for Respondent No.1

CORAM: A.S.OKA, J.
DATE : DECEMBER 19,2007.

P.C.:

1. Rule. The Advocate for the Respondent No.1 waives service. For the purpose of this Civil Application notice to the second Respondent is dispensed with.

2. In so far as clause (2) of the operative part of the decree is concerned, same grants declaration and injunction. Therefore, execution and operation of the said clause No.(2) cannot be stayed. In so far as clause (3) of the operative part of the decree is concerned, the same can be stayed subject to Applicant depositing entire decretal amount with the trial

court. Hence, Application is disposed of by passing following order :

i) Execution and operation of clause (3) of the operative part of the decree will remain stayed till the final disposal of the Appeal subject to condition of the Applicant depositing entire decretal amount with the trial court within a period of 12 weeks from today. If the amount is not deposited, interim relief will stand vacated without further reference to the court.

ii) If the amount is deposited, the trial court will permit the original plaintiffs to withdraw the said amount subject to furnishing the bank guarantee for the said amount. The Applicants will be heard before accepting the bank guarantee. There will be no order as to costs.

JUDGE